



# **MALAD MOUNTAIN**

## **COMMUNICATION SITE PLAN**



Prepared by the United States Bureau of Land Management  
Upper Snake River District  
Pocatello Field Office  
Pocatello, Idaho  
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## **MALAD MOUNTAIN COMMUNICATION SITE PLAN**

### **I. INTRODUCTION:**

Demand for communication sites is increasing annually in the United States primarily due to advances in communication technology, strong consumer interest, and a 1983 Federal Communication Commission (FCC) decree establishing wireless carrier coverage requirements. The FCC decree basically requires licensed cellular carriers to provide coverage to either 75% of the population of a given market or to serve 75% of the geographic area of a given market.

**Malad Mountain**, sometimes referred to as Holbrook, is an established communication site located in a remote chain of mountains west of Malad, Idaho. The portion of the mountain utilized as a communication site is approximately 7270' in elevation, over 2400' higher than the surrounding river valleys: Malad Valley, Pocatello Valley, and Arbon Valley. Interstate Highway 15 runs in a north-south direction to the east of **Malad Mountain**, approximately 11 miles in distance at its closest point. State Highway 38 runs in an east-west direction about 1.5 miles south of the communication site. The communication site is located within the administrative boundaries of the Bureau of Land Management's (BLM) Malad Field Station, Pocatello Field Office.

Another communication facility is located in the same chain of mountains about a mile north of BLM's **Malad Mountain** communication site. However, this facility occupies Federal land under withdrawal to the Federal Aviation Administration and is not under direct management of the BLM. For this reason, the FAA site will not be included in the **Malad Mountain** Communication Site Plan.

This Communication Site Management Plan has been developed to document and evaluate the existing communication site and facilities located on **Malad Mountain**. The plan also provides an outline for orderly future development of the site in conformance with the Malad Field Station's current land use planning document, the Malad Hills Management Framework Plan (MFP).

Current BLM supplemental program guidance (SPG) for resource management planning specifies that every planning document shall contain determinations relevant to communication sites. The Malad Hills MFP, approved in 1980, does not discuss specific details needed for the proper management of communication sites. Therefore, in order to supplement the land use planning document, this site

management plan has been prepared to address specific issues and possible solutions to problems experienced on BLM's **Malad Mountain** communication site.

Approved lessees or right-of-way holders, tenants, and customers with facilities currently located on **Malad Mountain** are shown in the Users' Table, Appendix D. Additional tenants or customers may be accommodated within the confines of existing authorized communication facilities as long as such additions are in compliance with the terms and conditions of authorized leases or right-of-way grants and with the supplemental direction contained in this site plan. Requests for new communication site facilities may be authorized at the discretion of BLM's Authorized Officer through the issuance of new Communications Use Leases, or in some cases, by the issuance of additional right-of-way grants.

## A. Definitions

The terms used in this Site plan conform as much as possible to the definitions published in the November 13, 1995 Federal Register notice entitled "Rights-of-way, Rental Schedule for Communication Uses; Final Rule and Notices" and to definition clarifications provided in BLM's Communication Site Right-of-way Handbook (H-2860-1).

The terms "lessee" or "holder" as used in this site plan refer to the legal relationship between the United States Bureau of Land Management and the holder of a BLM authorization. Unless otherwise noted, the terms are considered synonymous. The terms "lease" or "right-of-way" refer to an authorization issued by the BLM. These terms may also be used synonymously. The terms "customer" and "tenant" refer to the relationship between the lessee and other parties accommodated in the lessee's facility.

The term "tenant" is defined as an occupant who rents space in a facility and operates communication equipment in the facility to resell the communication service to others for a profit.

The term "customer" is defined as a person or entity whom is paying the facility owner or tenant for communication services, and is not reselling communication services to others.

A "Ranally Metro Area" represents Rand McNally's definition of the developed areas around important cities. The areas include one or more central cities, satellite communities, and suburbs, in most cases with a combined population of at least 50,000. Rand McNally has identified 452 RMAs, 417 of which have populations of 50,000 or more.

"Personal Communications Services" (PCS) is a Federal Communications Commission (FCC) term describing two-way personal, digital wireless communications systems.

An Internet Service Provider: (ISP) is a person or business who provides customers with connections to the Internet, either through ground wires or using wireless technology.

"Low Power Use" is defined for purposes contained in this document as a transmitter operating at less than 1000 watts Effective Radiated Power (ERP).

## **B. Abbreviations**

1. BLM - Bureau of Land Management
2. FM - Facility Manager
3. ROW - Right-of-way
4. RMA - Ranally Metro Area
5. FLPMA – Federal Land Policy & Management Act of 1976 (P.L. 94-579)
6. PCS – Personal Communications Services
7. NEPA – the National Environmental Policy Act of 1969
8. SF-299 – Standard Form 299 (Right-of-way Application Form)
9. ESMR – Enhanced Specialized Mobile Radio
10. ISP – Internet Service Provider
11. ERP – Effective Radiated Power

## **C. Relationship of the Malad Mountain Site Plan to Communications Use Leases**

This site plan will be incorporated into all future new leases issued for the **Malad Mountain** Communication Site. The plan will also be included in any renewed leases or right-of-way grants, where appropriate. For example, the site plan may not be included in minor right-of-way grants, such as county repeaters, installed in governmental buildings. **Provisions of the site plan are enforced through the right-of-way or lease authorization.** Each lessee is expected to incorporate mandatory BLM lease and site plan requirements into any subsequent agreements with the lessee's tenants and customers. The lessee is also responsible for enforcement of said requirements involving the lessee's tenants and customers.

## **D. Site Location**

The **Malad Mountain** Communication Site is located about 10 miles west of Malad City, Idaho, at the head of North Canyon near the southern end of a chain of mountains named the Pleasantview Hills. Holbrook Summit is 1.5 miles south of the communication site. The community of Holbrook is about 12 miles southwest of the communication site.

The project area is considered part of the Basin and Range Physiographic province. The area is drained by North Canyon and Stump Canyon which flow eastward into the Malad River. The range tends to be to the northwest and is composed almost entirely of sediments of the Pennsylvanian to Permian-aged Oquirrh Formation

The upper, Permian-aged member of the Oquirrh Formation covers the area. It is comprised of grey to brown, calcareous sandstone with numerous 10-15 foot thick ledges of bioclastic limestone. Quaternary colluvial debris fills the larger canyons in the area.

Local stratigraphy in the area is relatively flat. Beds dip between 10-20 degrees to the south and are not heavily faulted. Those faults present run either North-South or East/West in direction and have less than 100 feet of normal offset. The Pleasantview Hills are separated from the Samaria Mountains to the south by a large East-West trending normal fault.

The Latitude and Longitude of the communication site is about 42 degrees 11 minutes North Latitude, 112 degrees 27 minutes West Longitude. The legal description of the communication site is as follows:

T. 14 N., R. 34 E., Boise Meridian  
sec. 23, NWSESW;

The **Malad Mountain** communication site is situated within a large block of mountainous land in Federal ownership currently managed by the Bureau of Land Management, Malad Field Station. Some sections of State of Idaho “school” land are scattered among the Federal land. The surrounding valley floors, primarily Arbon Valley, Malad Valley and Pocatello Valley, are almost entirely in private ownership.

Physical access to **Malad Mountain** is provided by a dirt road branching off of State Highway 38. The 2.73-mile access road is located entirely on Federal land under administration of the BLM. Approximately 2.0 miles of the road is maintained by the FAA (excluding winter) as it also provides access to the FAA’s air navigational facility located a mile north of BLM’s **Malad Mountain** communication site. The last segment of the **Malad Mountain** access road, about 4,030 feet, is held under right-of-way by the BLM.

#### **E. Population Served**

For annual rental purposes, communication facilities operating on **Malad Mountain** are considered to fall within BLM’s Fee Schedule Zone 9. The communication site serves a sparsely populated rural area and the City of Malad which has a population of about 2,000 residents. As of the date of this report, all the communication site users located on **Malad Mountain** were governmental

entities exempt from the payment of annual communication site rental for the use of the public lands.

## **F. Communication Site Background**

The Bureau of Land Management was the first user to develop a site on **Malad Mountain**. This facility was followed by a State of Idaho facility authorized in 1987. Several county repeaters, the Forest Service, and a Ham Radio operator have subsequently collocated in BLM's facility. The State of Idaho facility is used solely by State agencies.

Authorized users and a brief history of each authorization are shown below:

### **IDI-23343: Bureau of Land Management, Pocatello Field Office**

Type of Authorization: Right-of-way reservation

Authorized Use: Two-way radio/Repeater

Rental: Exempt

Site Size: 208.71' X 208.71' (one acre)

Tower: 40'

Access: Dirt road 4029.3' X 40'

--Co-users of facility: Oneida County Sheriff (IDI-27531), Oneida County Volunteer Fire Department (IDI-34082), Vance Hawley (IDI-28353), & Oneida County Ambulance (IDI-34144)

--9/18/86: Reservation issued

--6/10/03: Reservation amended

--No expiration date: Reservation is perpetual

### **IDI-24895: State of Idaho Microwave Services**

Type of Authorization: Right-of-way grant (FLPMA)

Authorized Use: Mobile Radio Relay Station

Rental: Exempt

Site Size: 100' X 100' (0.23 acre)

Tower: Two wood poles @ 20'

Access: Dirt road @ 4000' X 25'

--Co-users of facility: None

--12/11/87: Grant issued

--06/30/98: Grant renewed

--12/31/2007: Grant expires

## **II. EXISTING SITUATION**

As of the date of this plan, **Malad Mountain** is occupied only by governmental entities for two-way radio and repeater purposes. Due to its rural location in a

sparsely populated area of the state, cellular/PCS and other communication site providers have not shown an interest in the site.

Commercial power, provided by Utah Power (now PacifiCorp), is available on **Malad Mountain**. There is no ground telephone line to the **Malad Mountain** site; however, there is a phone line paralleling the FAA access road which provides service to the FAA facility located about a mile north of the BLM site.

In 2004, the Bureau of Land Management plans to construct a larger building and tower to replace its existing facility. Once constructed, the building and tower now in use would be removed and the site rehabilitated. The larger building would provide additional limited space for other governmental purposes, including the needs of Oneida County.

### III. OBJECTIVES

**Note: Upon renewal of expiring authorizations, existing communication site holders/lessees will not be required to upgrade or retrofit existing installations to meet current building code requirements or new standard site plan requirements unless a safety issue or interference issue is identified.**

Objectives of this site plan are as follows:

- To document site management policy, procedures, and standards which are not specified in BLM's standard Communications Use Lease.
- To manage **Malad Mountain** as a low-power communication site.
- To establish communication guidelines for operations within the communication site.
- To determine present and future road maintenance responsibilities as site use increases and new leases are approved.
- To protect the interests of authorized site users by preserving a safe and electronically "clean" environment.
- To encourage efficient development and joint use of space and facilities whenever possible within the boundaries of the communication site.
- To encourage new lessees to build sites capable of collocation.
- To protect migratory birds by limiting tower heights so that tower lighting is not required by the Federal Aviation Administration or the State of Idaho Department of Aeronautics.

- To maintain the visual integrity of the communication site by considering design standards that utilize earth tone colors and non-reflective surface materials consistent with approved Land Use Plan guidelines, if any.

#### IV. STANDARDS:

Development and management of the **Malad Mountain** Communication Site shall be subject to the following requirements which are in addition to the terms, conditions, and stipulations contained in approved Communications Use Leases or Right-of-way grants. In the event of conflict between the terms of this plan and terms of an approved Communications Use Lease or Right-of-way grant, the **LEASE/GRANT LANGUAGE GOVERNS**.

##### A. Designated Site Area

The BLM Authorized Officer will designate the size of each new communication site lease. Leases will be limited in size to the minimum acreage needed to accommodate a facility.

##### B. Utility Development

Whenever physically possible, additional utility lines or cables shall be buried from the terminus of the nearest existing supply source to new or existing communication facilities located on **Malad Mountain**. The presence of bedrock or extremely rocky soils may in some cases prevent the installation of buried utility lines or make such installation extremely difficult or expensive. In these instances the BLM Authorized Officer will determine if an above-ground line is permissible.

##### C. Holder/Lessee Review

Existing right-of-way holders or lessees will be given the opportunity to review and comment on new communication lease applications proposed to be located on **Malad Mountain**. New lease applications and technical data information filed with the Bureau of Land Management will be copied and forwarded to each authorized lessee or holder and processed as described in Section IV.F. **Lease or right-of-way holders proposing to accommodate additional tenants or customers in their facilities will be responsible for notifying all other lessees or right-of-way holders on Malad Mountain and sharing appropriate information regarding the proposed additions or changes.** It is strongly suggested that lessees/holders involve any tenants and customers in the review process. Generally, the advanced notification/review period shall be a minimum of 15 days, but this time frame may be adjusted by the BLM Authorized Officer if specific circumstances warrant an adjustment.

## **D. Buildings and Antenna Support Structures**

### **General Requirements**

New proposals shall be designed as much as possible to take advantage of vegetative and topographic screening. Proposals must provide sufficient data so that the visual compatibility of the proposal, landform, vegetation changes, and lighting can be evaluated.

All new approved facilities shall be capable of accommodating multiple tenants/customers unless the requirement is waived by the BLM Authorized Officer. For security and other reasons, Federal or other governmental entities may be exempted from the requirement to provide space for commercial communication site uses.

Whenever feasible, proposed new site users will be required to locate their equipment in or on existing facilities unless the requirement is waived by the BLM Authorized Officer. Reasons for consideration of a waiver include, but are not limited to the following:

- Verified instances of unfair business practices involving the current communication site lessee(s)/holder(s).
- Technical incompatibility problems which cannot be reasonably resolved in an existing facility.

The BLM reserves the right to issue new compatible Communications Use Leases on **Malad Mountain** at any time providing adequate acreage is available and uses are compatible with existing site users.

No new communication site facilities will be authorized until the application process described in IV.F. has been followed. This process includes consideration of site availability, physical, environmental, and technical capability of a proposal, and the future management of the communication site.

### **Buildings**

1. Building designs should include provisions for multiple separate equipment rooms to accommodate additional tenants or customers. All buildings shall be single story structures only.
2. Exterior surfaces shall be manufactured or painted with flat, non-glossy (matte-finish) paint or stain to blend with the natural colors of the landscape. The color used shall simulate the “Standard Environmental Colors” designated by the Rocky Mountain Five-State Interagency Committee. Proposed paint or finish colors must be approved by the BLM Authorized Officer.

3. All new building designs shall be generally uniform in shape and roof style and approved in advance by the BLM Authorized officer.

### **Antenna Support Structures**

1. All antenna support structures shall be constructed and maintained in a neat and safe condition in accordance with good engineering practices and tower manufacturer specifications. Towers shall be of a design and height so as not to require lighting. If needed for security purposes, downshield security lighting shall be used on buildings to minimize attraction to migrating birds.
2. Future towers proposed for **Malad Mountain** shall be monopoles or self-supporting to optimize the use of the communication site.
3. All metallic structural materials shall be galvanized, plated, coated, or painted unless otherwise approved by the BLM Authorized Officer. Dissimilar metals shall not be placed in contact with each other in such a manner that could create a galvanic junction.
4. Physical deterioration of a structure, which may weaken the structure or cause electromagnetic interference, shall be corrected within a time frame specified by the BLM Authorized Officer.
5. Security fencing, anti-climbing devices (e.g. removable steps), or other appropriate measures shall be implemented to discourage unauthorized climbing of towers.

### **E. Fences**

1. Security fencing should be considered at each communication site facility to reduce potential vandalism problems and to provide for public safety.
2. Metallic fencing shall be grounded to prevent electrical interference. Fencing material shall be neutral medium gray or color blended to blend with the surrounding environment.

### **F. New Site Proposals and Existing Site Amendments**

When a new customer or tenant use cannot be accommodated by existing lessees within existing facilities, the following application process will be followed:

#### **1. Application Submissions:**

Forms (SF-299) are available from any BLM office and on the web at [www.blm.gov/nhp/what/lands/realty/forms/299/index.html](http://www.blm.gov/nhp/what/lands/realty/forms/299/index.html).

*Note: An application is not considered complete and cannot be processed until all information deemed necessary by the BLM Authorized Officer is provided in an acceptable format. Submission of an application **does not** guarantee approval of a Communications Use Lease or issuance of a Right-of-way grant.*

a. Pre-application Activity: Applicants interested in occupying the **Malad Mountain** Communication Site are encouraged to discuss proposals, prior to filing a formal application, with the Bureau of Land Management, **Pocatello Field Office**, or with BLM's designated **Lead Realty Specialist for Communication Sites** (Idaho Falls Field Office). Guidance and information will be shared at the pre-application meeting and the application process will be explained.

b. Need or Justification for a Project: New applicants will be required to demonstrate a valid need to occupy **Malad Mountain** and the reasons existing communication facilities will not reasonably accommodate that need.

c. When An Application (SF-299) Is Required: The filing of a new or amended application is required for the following proposed actions:

- New facilities (sites, buildings, antennas, etc.).
- Significant building modifications (size, shape, additions).
- Significant tower modifications.
- Changes in Type of Use (e.g. PCS site to Microwave site).
- Changes in the ownership of existing facilities (assignments).
- Renewals of expiring authorizations.

Applications must be accompanied by the following items:

- Completed application form (SF-299).
- Copy of FCC license, construction permit, frequency assignment, station license, or NTIA/IRAC authorization. If a license has not been issued, then a copy of the applicant's application is required.
- Copy of FAA form 7460-1 or FAA approval letter.
- Complete BLM Technical Data Report listing the applicant's authorized frequencies (if applicable).
- Complete Site/Plot Plan showing:
  - o Ties to existing site monuments (if available).
  - o Size (acreage & dimensions) of proposed communication site.
  - o Location, size, and design of proposed facilities (buildings, tower, etc.) to be located within the proposed communication site.
  - o Land ownership of lands to be impacted (including ownership of land crossed by any needed access road or utility lines).

- Legal description (Township, Range, Meridian, Section, Alocut Part to 40 acres) of the proposed communication site, access road, utility lines or other appurtenances.
- Estimated time frame for commencement and completion of construction.

Applications for proposed communication sites on **Malad Mountain** should be filed with the following office unless otherwise directed:

Bureau of Land Management  
Pocatello Field Office  
1111 N. 8<sup>th</sup> Ave.  
Pocatello, ID 83201

d. User Notification: In addition to the items listed in “c” above, Facility Owners/Facility Managers will be required to notify all communication site users in the vicinity when the following activities are contemplated:

- Additions of frequencies.
- Changes in frequencies.
- Changes in transmitter power output (TPO).
- Changes in antenna efficiency or ERP.
- Type or Class of Service changes.
- Changes in location of transmitters.
- Other conditions or situations as required by the BLM Authorized Officer.

## 2. Application Processing:

***Note: In order to accelerate the processing of an application, an applicant may be asked to contribute to the environmental documentation or inventory process. This contribution may consist of contracting cultural resource inventories, contracting biological inventories, (e.g. Threatened & Endangered Species), or in some cases, contracting the preparation of an entire environmental document.***

- Application is filed with the appropriate BLM Field Office.
- Applicant is notified of a required, non-refundable filing fee. The non-refundable filing fee must be paid prior to any formal application processing. The establishment of a filing fee is an appealable action subject to review by the Interior Board of Land Appeals
- County governments, impacted right-of-way holders, and other affected or interested publics are notified of the filed application.
- Inventory work is completed and an environmental document is prepared to fulfill the requirements of the National Environmental Policy Act of 1969 (NEPA) and other applicable laws and regulations.

--Unless the applicant's application is rejected, a Communications Use Lease or Right-of-way grant is prepared and forwarded to the applicant for review, acceptance of the required stipulations, signature, and payment of required right-of-way rental charges.

--Upon return of the above items to the appropriate BLM office, an authorizing document is issued by the BLM.

#### **G. Tenant Information**

All lessees or right-of-way holders must maintain a list of tenants or customers accommodated within their facilities along with tenant/customer charges and a current price schedule for all provided services. These lists must be made available to the BLM Authorized Officer upon request.

#### **H. Facility Identification**

1. The assigned BLM Serial Number shall be visibly posted on or within all authorized communication sites, preferably on or near the door of equipment buildings, if buildings are present.

2. Upon request of the BLM Authorized Officer, the lessee/holder shall furnish an AutoCad drawing detailing the location of lessee's structures, facilities, and appurtenances including any authorized access roads or utility lines. As an option, the lessee shall add the above information to an AutoCad drawing provided by the BLM.

#### **I. Signs**

Any signs required by law, authorized agencies, or stipulated by the BLM will be provided and installed by the lessee/holder in accordance with standards and instructions provided by the BLM. Hazard warning devices will be used when and where needed. Approved color coding for onsite hazard warnings are as follows:

Object Markers	White and black stripe
Construction signs:	Orange background
Warning signs:	Yellow background
Regulatory signs:	White background

No advertising signs or displays shall be posted on site.

#### **J. Electrical Components, Power Transmission/Distribution Lines, Electronic Considerations**

## **1. Electrical Components**

- a. Common Grounding System: When feasible, a common grounding system should be developed and shared by all lessees/holders on the communication site. All facilities should be connected to the grounding system following appropriate ANSI/TIA/EIA standards.
- b. All electrical facilities, equipment, and their installation should conform to the current National Electrical Safety Code or local building codes and regulations, whichever are more stringent.
- c. Communication site structures should be designed for maximum lightning protection through bonding and appropriate grounding. All equipment, cabinets, towers, and exposed metal should be connected to a common ground at each individual site. Lightning protection devices should be installed on the top of every appropriate structure.
- d. Standards and specifications for raceways, switching, grounding, wiring methods, and materials should at a minimum be equivalent to those prescribed by the National Fire Protection Association in its most current National Electrical Code.
- e. All permanent AC wiring shall be installed in approved electrical conduit.

## **2. Power Transmission/Distribution Lines**

- a. All new or replacement external power transmission/distribution lines shall be 100% shielded with a UV-resistant covering.
- b. All external connectors shall be made watertight and installed per manufacturer's instructions.
- c. All internal lines shall be double braided or solid shielded and jacketed.
- d. Transmission/distribution lines shall not be left un-terminated. Lines must be terminated in their characteristic impedance.

## **3. Electronic Considerations**

### **a. Transmitters**

--All transmitters shall have protective devices (circulators, cavities,

duplexers, low pass filters, etc.) designed into or externally installed to reduce as much as possible direct interference to other site users.

--All transmitters shall be FCC type accepted or meet type acceptance criteria.

--The direct radiation of out-of-band emissions (e.g. noise, spurious harmonics) shall be reduced to a minimum level such that the emissions cannot be identified as a source of interference.

--All transmitters not in immediate use and not specifically designated as standby equipment shall be removed.

--When technically feasible, transmitters should be combined to reduce overall antenna mass and height.

b. Receivers

--All receivers shall have sufficient “front end” pre-selection or installed cavities as needed to prevent receiver-produced intermodulation or adjacent channel interference.

c. Antennas

--All antennas not in immediate use shall be terminated in their characteristic impedance ( $Z_0$ ) to prevent re-radiation of intercepted signals or noise.

--All broken or defective antennas shall be immediately repaired or promptly removed from the site.

d. Microwave Dishes

--Microwave dishes shall be compatible with other uses at the site.

e. Noise Levels

--New lessees, holders, customers, or tenants will not subject current authorized users of the communication site to a noise level greater than 10db below the currently measured “noise floor” on all frequencies reasonably removed from the holder’s own frequency, thereby not causing any measurable degradation to existing receiver performance. This requirement will be accomplished by the use of bandpass type filters and any Hub type filter that may be necessary.

#### 4. Interference

a. New lessees, holders, customers, and tenants may be required to furnish an intermodulation study by an independent, qualified engineer not associated with the applicant, or other pertinent data pertaining to the effects of the proposed facilities on existing site users. It will be the lessee's responsibility to ensure that lessee's tenants and customers comply with these standards.

b. If allowed by the lessee's/holder's authorizing document, new tenants/customers may be added to site facilities without advanced BLM approval. Lessees/holders are still required to notify and coordinate with other authorized site users to resolve any potential interference problems before new uses are allowed. The preferred notification process would be for lessee's/holders to send a copy of a completed BLM Technical Data Sheet to all affected parties at least 15 days prior to the installation of proposed new equipment or frequencies, with an information copy to the BLM, Authorized Officer.

c. All site users shall cooperate in locating and eliminating interference.

d. If interference problems arise, the following procedure will be implemented:

--A tenant/customer who is experiencing interference will work with and through their facility owner/manager to ascertain if the interference is coming from other users in the same facility or from an adjoining facility.

--If the interference is determined to be from within the same facility, it is the joint responsibility of the lessee/holder and tenant/customer to resolve the problem.

--If the interference is determined to be from another source or facility, the lessee/holder of the affected facility will contact the lessee/holder of the suspected source of the interference. Lessees/holders will work together with their customers and tenants to resolve the problems.

--Should the lessee/holder of the interfering facility not be able to resolve the problem or is unwilling to resolve the problem, the lessee/holder who is experiencing interference will notify the FCC and BLM Authorized Officer of the impasse. The FCC and BLM will take appropriate action within the limits of their jurisdiction. Generally, the existing lessee/holder experiencing interference will retain preference over a new user or amended use causing interference that cannot be

corrected. New users or existing users making changes will be responsible for all costs associated with resolving an interference problem caused by their facilities.

- e. Signal propagation corridors will be protected. No structure will be allowed to interfere with an existing microwave path or other directional radiation pattern.

#### **K. Roads, Access, Common Parking Areas**

1. All lessees/holders are required to participate in the **Malad Mountain Road Maintenance Agreement**, if an agreement has been written and approved by the BLM. If no road agreement has been written, all users are expected to contribute to the joint-maintenance (including weed control) of communication site access roads as determined by the Users Association (if formed) and/or by the BLM Authorized Officer.
2. Common parking areas (if present) shall be maintained in conjunction with periodic access road maintenance. Roads and parking areas will be constructed and maintained to minimize the risk of soil erosion.

#### **L. Housekeeping Items**

1. Communication sites shall be kept free of stray or excess materials, debris, etc. which may increase the “noise floor” of authorized users on site and potentially create intermodulation problems.
2. Each lessee/holder is responsible for weed control within the boundaries of the lessee’s/holder’s approved communication site.
3. Lessees/holders are responsible for painting and maintaining buildings and other structures in good condition. Paint colors shall be approved as determined by the BLM Authorized Officer. The repainting of buildings and facilities with previously approved colors do not need to be re-approved by BLM.
4. Lessees/holders are required to comply with BLM requirements regarding the use of pesticides. No chemicals shall be stored on site. Lessees/holders are responsible for the disposal of old building materials containing asbestos and old electronic components containing PCBs, if applicable.

#### **M. Site Inspections**

The Bureau of Land Management reserves the right to conduct site inspections of communication site facilities whenever deemed necessary. The site inspections will consist of three types:

1. Physical inspections of towers and facilities (exterior) and individual communication site lots to ensure sites are properly maintained (See Housekeeping Items, Section N). Lessees/holders will be contacted and asked to correct any problems within a reasonable period of time, generally 30-60 days.
2. Inspections of Communication equipment (interior) to ensure information submitted annually on Inventory Worksheets is complete and accurate for rental calculation purposes. Any discrepancies between reported information and the on-site inspection will be documented and corrected as appropriate. Lessees/holders will be notified and invited to participate in these inspections.
3. Joint site inspections of BLM and specialists from the Federal Communications Commission (FCC) will be conducted periodically to inspect equipment and frequencies. Lessees/holders will be notified and invited to participate in these inspections.

## **N. RELINQUISHMENTS/TERMINATIONS**

If a communication facility is no longer needed, the lease or right-of-way grant may be relinquished with the concurrence of the BLM authorized officer. Prior to acceptance of the relinquishment, the lessee and BLM authorized representative shall arrange a joint inspection of the lease area. The inspection shall be held to discuss and develop an acceptable termination and rehabilitation plan. This plan shall include removal of facilities, drainage structures, surface material, recontouring, topsoiling, and seeding of the site.

If termination of a lease or right-of-way grant becomes necessary due to non-compliance with the terms and conditions of the authorizing document, the lessee/grantee shall be contacted and given a reasonable opportunity to correct the problem or deficiency. If not corrected within a reasonable period of time, to the satisfaction of the BLM authorized officer, the authorization shall be terminated following the procedures found in current regulations at 43 CFR 2803-4.

## **V. COMMUNICATION SITE USERS ASSOCIATION (FUTURE)**

In order to facilitate the optimal use and development of the **Malad Mountain** Communication Site, a Users Association may be formed at the discretion of the authorized users. The primary function of the Association will be to provide advice to the BLM. The Association will have no enforcement jurisdiction over users of **Malad Mountain**, since the role of the Association will be entirely advisory.

Lessees/holders will be encouraged to join and be active participants in the Association. The Association will be made up of one (1) individual representing

each authorized lease or right-of-way grant and one (1) tenant or customer selected by the other tenants or customers with facilities on site, or if necessary, by the BLM Authorized Officer. Associations will be encouraged to meet a minimum of once each year. Business conducted by conference calls, e-mail, or regular mail may be considered a “meeting” as long as such correspondence is properly documented. Constitutions, Bylaws, or other documents prepared by the Association must be approved by the BLM’s Authorized Officer prior to implementation.

If users do not elect to form an Association, BLM will continue to manage all aspects of the communication site within BLM’s authority.

#### **A. Suggested Functions of the Association**

1. To draft and administer a road maintenance agreement for vehicular access to **Malad Mountain**.
2. To assist the BLM with evaluations of proposed communication site additions or changes including new leases, amended leases, or significant changes in existing facilities.
3. To assist the BLM/FCC with frequency interference problems or other conflicting problems involving users located on **Malad Mountain**.
4. To perform periodic site inspections of the communication site and facilities, in coordination with BLM, to determine general site condition (including weed problems) and to identify any potential site interference or management problems.

#### **B. Association Longevity/Terms of Officers**

Officers will serve two-year terms unless otherwise agreed to by the members of the Association. At a minimum, serving officers should consist of a chairperson and secretary/treasurer.

Associations will be considered active as long as one (1) business meeting is held at least every two years.

### **VI. Communication Site Plan Review/Revisions**

The **Malad Mountain** Communication Site Plan will be reviewed every five years to determine if a revision of the plan is needed. Active lessees/holders will be invited to participate in any revision process.

**MALAD MOUNTAIN COMMUNICATION SITE PLAN**

Approved by: Bureau of Land Management, Pocatello Field Office

/s/Geoff Hogander  
Acting Pocatello Field Manager

Date: 09/30/2003

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